

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * *

RAY PINEDA,)
Plaintiff,) 3:06-cv-00424-LRH (VPC)
v.)
NDOC, et al.,) ORDER
Defendants.)

Before this Court is Report and Recommendation of U.S. Magistrate Valerie P. Cooke (#96¹) entered on July 17, 2009, recommending granting Defendants' Motion for Summary Judgment (#75) filed on April 17, 2009, denying Plaintiff's Motion for Summary Judgment (#73) filed on April 10, 2009, and denying Plaintiff's Motion to Strike filed May 14, 2009 (#90). Plaintiff filed his Objection to Report and Recommendation by U.S. Magistrate Judge (#99) on August 6, 2009, and Defendants filed their Points and Authorities in Support of Magistrate's Report and Recommendation (#96) on August 12, 2009, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record

¹Refers to court's docket number.

1 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate
2 Judge's Report and Recommendation (#96) entered on July 17, 2009, should be adopted and accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
4 (#96) entered on July 17, 2009, is adopted and accepted, and Defendant's Motion for Summary
5 Judgment (#75) is GRANTED, Plaintiff's Motion for Summary Judgment (#73) is DENIED and
6 Plaintiff's Motion to Strike (#90) is DENIED.

7 The Clerk of the Court shall enter judgment accordingly.

8 IT IS SO ORDERED.

9 DATED this 10th day of September, 2009.



10
11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26